

As with most policies in question, there are two distinct sides to the subject, as with the Do-Not-Call Implementation Act. Through examination and release of the Federal Communications Commission (FCC) documentation regarding this act, two separate views have been created: for and against.

As a marketing, retail and business student, I can understand and sympathize with those against the implementation of a national 'no-call' list. Telemarketing enables companies to increase their sales volume and to gather a great deal of valuable consumer data while employing thousands of people. On the other hand, however, I loathe being called during my downtime at home to purchase something, support a cause, answer a survey, or talk to a computer.

I hold firm beliefs on each side of the issue. Thus, a proposal combining elements from both viewpoints may be the best option. I realize that the Do-Not-Call Implementation Act was signed into law on March 11, 2003 with a final ruling to be made within 180 days of that date. It takes time to create laws, but it also takes time to create superior and effective laws. Please consider the subsequent documentation.

I believe that the essence of telemarketing should be altered, but not eliminated through law. Charities such as The American Red Cross, The Salvation Army and smaller, local agencies depend upon volunteers calling consumers to ensure their financial survival. In turn, Americans (and the world) depend upon these agencies for life-saving assistance in times of hardship like the horrific 1997 floods in the Dakotas and Minnesota, and September 11, 2001 attacks on New York and Washington D.C. Eliminating the option these agencies have to call upon Americans for financial support would be detrimental to our nation's people.

Another big factor that must be considered is that telemarketing employs thousands of people who may not be able to conduct another line of work. Those with certain physical disabilities, who may be considered unemployable in any other field, are able to support themselves and their families by working with a telemarketing firm. Thus, the unemployment rate is lower, and less strain is put on federal and state budgets through the distribution of welfare and unemployment funds.

What I do not support about telemarketing practices are firms who employ the use of electronic mediums to automatically dial and those using prerecorded messages. Although these practices were supposed to be abolished with the implementation of the Telephone Consumer Act of 1991 (TCPA), I still receive phone calls in such manners. The use of these and other artificial means of conducting telemarketing business go against my beliefs of allowing the industry to exist: to help people through employment and the raising of charity funds. It may be in the best interest of the FCC to put effort towards stopping illegal telemarketing activity before attempting to implement new laws such as the Do-Not-Call Implementation Act. The general public may not be aware of such illegal activity, and the FCC should take efforts to better inform them.

Other thoughts I have in support of the act include the fact that telemarketing may be the apathetic way of conducting marketing and retail business. Telemarketing requires little work in designing a survey and/or marketing scheme, reducing employee job satisfaction and creativity. Boredom can often set in on behalf of the employees involved in telemarketing, resulting in great employee turnover. I believe that with a little bit more originality, imagination and creativity, these same employees could be working on dynamic sales presentations, commercials, web design, personal selling, and other forms of research and selling, constructing better and more profitable companies, increasing our nation's economic stance. Also, companies still need many employees to answer telephones in response to catalog/Internet sales, and consumer questions regarding products and services.

In conclusion of my views pulled from each side of the subject, I cannot support the Do-Not-Call Implementation Act as it has been presented to me. What I do wish to see, however, is companies taking a radically new approach to telemarketing: choosing to eliminate it on their own, and discover new and better ways of reaching consumers. I don't think that it should be up to the FCC to force America's companies to go this route; it should be something that they do for their customers. Some retail industries have implanted the policy of not requiring consumers to recite their name and address (for marketing purposes) at the checkout, and advertising as such. I see no reason why companies could not advertise the fact that they won't bombard their customers with phone calls. Besides, in this day and age, most American consumers have access to the World Wide Web, television, and personal salespeople that all deliver messages through more than one communication channel, conveying improved sales techniques. Some of the communication methods that we have today, did not exist when telemarketing become widely used. Times are changing, and telemarketing should, and will be phased out, but it should be left up to America's companies to decide this for themselves in the true spirit of free trade, competition and liberty.